

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

No. 4:11-CR-113-1F

UNITED STATES OF AMERICA

v.

KEITH FRAZIER,

Defendant.

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ORDER

This matter is before the court on Frazier's pro se letter motions [DE-241, -242]. The motion to appoint counsel [DE-242] is ALLOWED and the Federal Public Defender's Office is DIRECTED to appoint counsel for the defendant. This representation is limited to Frazier's resentencing hearing, which the Fourth Circuit ordered when it vacated his sentence on count four. *See United States v. Frazier*, No 13-4389 [DE-236].

Frazier has also filed his third pro se motion to withdraw his guilty plea. As an initial matter, Frazier is informed that counsel is not appointed to assist him with this motion. Because it appears Frazier is attacking the validity of his conviction, the proper means for raising such a challenge is through a motion pursuant to 28 U.S.C. § 2255. The Clerk of Court is DIRECTED to mail Frazier the § 2255 form. Frazier is forewarned that successive § 2255 petitions are rarely allowed and, for this reason, he has one chance to present all of the challenges to his conviction that he wishes to raise.

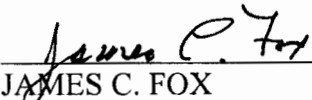
The motion to withdraw plea of guilty [DE-241] is DENIED without prejudice to raise the issue in a § 2255 motion. The Clerk of Court is DIRECTED to mail the defendant a copy of the § 2255 form to the return address listed on the envelope and the Defendant may present the

his challenges to his conviction in the § 2255 motion. The Defendant should return the completed § 2255 petition to

Clerk of Court
United States District Court, E.D.N.C.
ATTN: Prisoner Litigation Division
P.O. Box 25670
Raleigh, NC 27611

SO ORDERED.

This the 23rd day of June, 2014.



JAMES C. FOX
Senior United States District Judge